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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Title: System for Marketing Goods and )  
Services Utilizing Computerized )  
Central and Remote Facilities )**

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**Serial No.: 08/650,834 ) Mr. Stephen R. Tkace  
Examiner**

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**STATEMENT RE PRIOR ART**

**Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231**

Sir:

The Examiner may find helpful this discussion of the prior art cited in the parent applications from which this application, identified above, stems.

The prior art is reflected by D'Agostino, U.S. 5,231,571, and Lockwood, U.S. 4,567,359. Admittedly D'Agostino, Lockwood and the applicant herein seek solutions to virtually the same problem. But it is important to understand that each of the three inventors took a different route. D'Agostino's solution was not obvious from Lockwood's. By the same token applicant's solution is not obvious given D'Agostino.

Lockwood provides services by means of simulated interviews with a fictitious agent created by audio-visual devices. Using that approach a customer is asked pertinent questions in order to learn the type of insurance desired and other information necessary to process a quotation. By Lockwood each terminal thus is programmed to elicit information in a predetermined sequence from a customer, and to transmit that information to a central processing center. In a fashion similar to a programmed course Lockwood obtains information required for a price quotation. At the central terminal the information is processed and the results are transmitted back to the terminal. The customer is then given an opportunity to select a policy or take it home for study. These are his only options. Queries from the customer are accepted, but such questions are merely input for use in Lockwood's program. In Lockwood, then, the customer terminal is there merely for the purpose of satisfying the central processing center, whereas in the system herein the customer facility is there to satisfy the customer. The emphasis is quite different. Unlike the system herein, in Lockwood the computer queries the customer. Herein the customer queries the computer. Lockwood's system is programmed for the purpose of gathering information from the customer, not for the customer to obtain information from the system.

D'Agostino rejects the Lockwood method, pointing out that small computers located at Lockwood's individual branches are merely self-service terminals. Although they greatly reduce labor costs, the reduction of such costs is at the expense of completely removing the human interface. To overcome this problem D'Agostino provides a computerized system which includes a personal representative, or financial assistant located at a central terminal. Each customer terminal stores financial information, and a display is provided at each of those terminals so that

the central representative can display selected information. Thus, at least one central terminal is linked to the customer terminal, and the display of all of the information at the customer terminal is controlled at the central terminal. It is not an input device. It is controlled by the representative at the central terminal in response to one-on-one conversations between the customer and the representative. With D'Agostino, then, the pendulum has swung too far in the opposite direction, from no personal contact to total personal contact. It was not obvious to D'Agostino that some customers feel intimidated or pressured by telephone contact. D'Agostino ignores the fact that some customers prefer to be left alone. The inventor herein, as a teacher, recognized three types of personalities. Some students want to be left alone to attack the material by themselves. Others want the material explained to them before they undertake the work on their own. Still a third group of students prefer to have the matter explained as they sit passively by. Neither Lockwood nor D'Agostino appreciated or suggested a system to handle all three of these personalities or human behavior patterns.

By the invention herein, from a list displayed on his monitor the customer selects a central facility of interest. The customer can then, at his leisure and without the assistance of the representative, review any desired information about the goods and services. In other words, after establishing contact with a particular central facility the customer without assistance, and, in a self-service mode, can browse through databases of goods and services, stored for such purposes at the central facility. A computerized voice is provided to make this more interesting for the customer. The customer can back up, fast forward, skip, or jump to specific product or service information he wishes to look at. He can also request or command another level of information for greater detail.

In addition to a self-service approach to the problem, a system is provided herein permitting the customer to obtain desired information on products or services of his choice by having access to highly knowledgeable representatives. Concurrently the agent, by using his or her digital computer, monitor and keyboard, can establish electronic contact with the customer's modem, computer, monitor and printer. Both unassisted and assisted options for the customer were not perceived by D'Agostino and Lockwood. They did not allow for the fact that different services and different customers require different approaches. In fact, D'Agostino provides personal customer contact but no customer computer at all. He states that he does not want the customer to use a computer.

Unfamiliarity with computers makes even independent customers reluctant to work alone. The thought that a live representative is available if needed makes them more comfortable. The system herein not only takes different personalities into consideration, but it also provides for different approaches depending on goods or services. The customer can select to be connected with the central facility for any source of goods or services he desires. Such advantages and latitude are foreign to the prior art. By the system herein audio, video and data can be transmitted to the customer's facility as the customer and representative speak with each other. The representative can provide the customer with information and the customer can respond verbally to the prompts of the representative at the central facility. Thus, contrary to D'Agostino and Lockwood, the system provided herein is adapted to satisfy all types of customers. It can be shown that the prior art systems failed commercially. They just did not take all types of personalities and services into account.

Considering now the less pertinent patents, Dworkin, U.S. 4,992,940, uses a series of

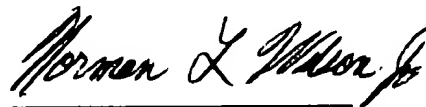
screens, tests and templates designed to elicit the desires of a customer. The customer merely selects options in multiple choice fashion or fills in blanks. When the series is completed the customer's desires relative to goods, their sources and prices, will have been obtained. The resulting information desired by the customer is then transmitted to the customer.

In Sober, U.S. 5,202,827, the customer or broker contacts the insurer regarding only insurance coverage. Nowhere does he provide for a second company assisting a first in facilitating the transaction. His system as well would provide a limited variety of goods and services to the customer.

Walker, U.S. 4,845,636, limits his goods and services to those that can be dispensed at the customer location. His system as well can only provide a limited selection of goods to the customer. He does not provide for a second independent company.

In summary, the system herein results in reduced costs to the providers of goods, improved service for customers, reduced prices for customers, greater variety of products for customers, and more knowledgeable assistance for the customer. By providing that the customer can use his terminal to contact multiple providers of goods and services, the system makes a world of product knowledge, information, and documents available to the customer. It provides options heretofore not available, permitting greater utilization of the representative's time, and more customer freedom. It enables a smaller company to reach markets it could not otherwise afford to enter. This leads to more competition in the marketplace, reduces prices to the consumer, and promotes business in small towns.

Respectfully submitted,

  
Attorney of Record